UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK U.S. DISTRICT COURT - N.D. OF N.Y. **FILED** 

Nov 10 - 2021

THOMAS RASTELLI,

Civil Action No. 1:21-cv-00799-FJS-DJS John M. Domurad, Clerk

Plaintiff,

-against -

STIPULATION OF DISMISSAL WITH PREJUDICE

COX AUTOMOTIVE, INC. D/B/A MANHEIM, TIMOTHY JANEGO, AND KRISTA FALCONE.

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the Parties in the above captioned action, through the undersigned counsel, that Plaintiff's Complaint and any and all claims that were or could have been asserted in this action are hereby discontinued and dismissed in their entirety, with prejudice, without costs to either party.

Dated this 8th day of November, 2021.

Evan Brustein

Evan Brustein **BRUSTEIN LAW PLLC** 299 Broadway, 17th Floor New York, NY 10007 evan@brusteinlaw.com 212.233.3900 Attorney for Plaintiff

Jayah Phys Polite

Jacqueline Phipps Polito LITTLER MENDELSON, P.C. 375 Woodcliff Drive, Suite 2D Fairport, NY 14450 ipolito@littler.com 585.203.3413 Attorney for Defendants

frey Risman RISMAN & RISMAN, P.C. 299 Broadway, 17th Floor New York, NY 10007 jrisman@risman-law.com 212.223.6400 Attorney for Plaintiff

IT IS SO ORDERED. November 10, 2021

Senior United States District Judge

Seullin